

# FISH & RICHARDSON P.C.

March 31, 2004

Attorney Docket No.: 15670-076001

## Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Presented for filing is a new patent application claiming priority from a provisional patent application of:

Applicant: MOHAMED ZAIYOU, RICHARD L. GALLO, and VICTOR NIZET

Title: THERAPY FOR MICROBIAL INFECTIONS

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	61
Claims	6
Abstract	1
Declaration	[To be Filed at a Later Date]
Drawing(s)	5

### Enclosures:

- Nucleotide and/or amino acid sequence listing including:
  - Computer readable copy.
  - Paper copy, 11 pages.
  - Verification statement, 1 page.
- Request and Certification Under 35 U.S.C. §122(b)(2)(B)(i) for Nonpublication of Application.
- Postcard.

Under 35 USC §119(e)(1), this application claims the benefit of prior U.S. provisional application 60/459,924, filed April 2, 2003.

CERTIFICATE OF MAILING BY EXPRESS MAIL

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17302 U.S. PT. G  
10/815562



17264 U.S. PT. G  
033104

Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951



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Basic filing fee	\$0
Total claims in excess of 20 times \$9	\$0
Independent claims in excess of 3 times \$43	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$0

Applicant claims Small Entity Status. See 37 CFR 1.27.

Under 37 CFR §1.53(f), no filing fee is being paid at this time.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 678-5070.

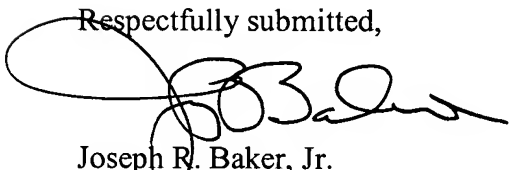
Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please direct all correspondence to the following:

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Respectfully submitted,



Joseph R. Baker, Jr.

Reg. No. 40,900

Enclosures

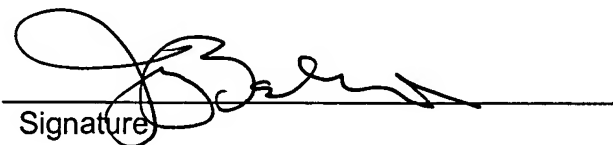
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<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor    Zaiou et al.	
	Title	THERAPY FOR MICROBIAL INFECTIONS
	Atty Docket Number	15670-076001

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

3/31/04  
Date

  
Signature

Joseph R. Baker, Jr.

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**